

FILED
U.S. Bankruptcy Court

AUG 21 2023

Middle District of Georgia

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA**

In re:

Case No. 22-50035-JPS

Teri Galardi,

Chapter 11

Debtor,

PAID
188.00
CHW

SHAKIR WILLIAMS

Movant,

v.

TERI GALARDI and GALARDI CREDITORS TRUST

Respondents.

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

COMES NOW Creditor Shakir Williams, (hereinafter "Williams"), *pro se*, and/or by and through her assignee and pursuant to 11 U.S.C. § 362 of the United States Bankruptcy Code, and moves for Relief from the Automatic Stay To Allow Her Pending Appeal before the 11th Circuit Court of Appeals to proceed and in support thereof states as follows:

1. This Court has jurisdiction over this matter pursuant to 11 U.S.C. § 362, FRBP 4001(a), and the various other applicable provisions of the United States Bankruptcy Code, Federal Rules of Bankruptcy Procedure, and the laws of the United States of America.

2. Williams is a creditor who filed a Proof of Claim No. 98 (Claim #98). Williams was one of nine plaintiffs in the case of *Milner v. Galardi*, Case No. 20-cv-20230-AMC brought in the United States District Court for the Southern District of Florida alleging violations of the Florida Minimum Wage Act against Debtor Galardi.

3. On September 2, 2021, the District Court dismissed Williams as a Plaintiff because she failed to appear at a mediation. Williams filed a timely appeal, which is now pending in the 11th Circuit Court of Appeals and stayed upon the filing of Galardi's petition on January 12, 2022.

4. Williams is seeking relief from the automatic stay to allow the appeal to proceed so that she may then return to this Court and be paid from the Galardi Creditor Trust.

5. Pursuant to 11 U.S.C. § 362(e), Williams hereby requests that in the event a hearing becomes necessary, one be held within thirty (30) days.



6. Undersigned conferred with counsel for the Debtor who failed to respond to the query.

7. Undersigned conferred with counsel for the Galardi Creditor Trust, Tom McClendon, who objected to this Motion on the basis of the standing of the assignee. However, in an abundance of caution, the Assignor is also signing on to this Motion and seeking stay relief.

WHEREFORE, Williams respectfully requests that the Court enter an order modifying the automatic stay under 11 U.S.C. § 362(d) so that the appeal pending before the 11th Circuit may be adjudicated; allow for fees and costs incurred in filing this motion to be recoverable as part of the debt; that in the event a hearing is necessary, that one be scheduled and held within thirty (30) days of the filing of this motion; and that this Court grant any such other and further relief this Court may deem just and proper.

Dated August 18, 2023

Respectfully submitted,

 Shakir Williams <i>Pro Se Assignor</i> P.O. Box 4216 Hollywood, FL 33083	 Chris Kosachuk <i>Pro Se Assignee</i> 854 Pheasant Run Rd. West Chester, PA 19382-8144 (305) 490-5700 chriskosachuk@gmail.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of August 2023, a true and correct copy of the foregoing was mailed to the Clerk of Court which will electronically file and serve a copy of the foregoing document on all parties of record and was served via email on Thomas McClendon, as Liquidating Trustee of the Galardi Creditors Trust and Chris Terry on behalf of Debtor Teri Galardi.

Respectfully submitted,



Chris Kosachuk
As Pro Se Assignee of Respondent Shakir Williams
854 Pheasant Run Rd.
West Chester, PA 19382-8144
(305) 490-5700
chriskosachuk@gmail.com

SERVICE LIST

Served via CM/ECF
All parties of record



PRESS FIRMLY TO SEAL

FLAT RATE ENVELOPE
POSTAGE REQUIRED

UNITED STATES PRIORITY MAIL



Retail

P

US POSTAGE PAID

Origin: 19317
08/18/23
4112680717-01

\$9.65

PRIORITY MAIL®

0 Lb 2.30 Oz

RDC 01

EXPECTED DELIVERY DAY: 08/21/23

SHIP TO:

433 CHERRY ST
MACON GA 31201-7919

C065

USPS TRACKING® #



9505 5146 1301 3230 6897 64



FROM:

PRIORITY®
★ MAIL ★



VISIT usps.com
RECEIVE SUPPLIES ONLINE
U.S. Bankruptcy Court

FROM:

CHRIS KOSACHA AUG 21 2023

854 PHASANT RYAN Middle District of Georgia

WEST CHESTER, MA 19382

ions of coverage.

ired.

see the

ply).*

national destinations.

Free Package Pickup,
the QR code.



COM/PICKUP

Label 228, March 2016

FOR DOMESTIC AND INTERNATIONAL USE

TO: CLERK OF COURT
U.S. BANKRUPTCY COURT
433 CHERRY ST.
MACON, GA 31201